

FILED

December 14 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. **JA 09-0655**

STATE OF MONTANA,

Plaintiff and Appellee,

V.

Wayne Percy Lindsey,

Defendant and Appellant.

FILED

DEC 14 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE OF APPEAL

Notice is hereby given that Wayne Percy Lindsey, the Appellant above-named and who is the Defendant in the cause of action filed in the Twenty First Judicial District, in and for the County of Ravalli, as **Cause No. Dc-07-168**, hereby appeals to the Supreme Court of the State of Montana from the final judgment or Order of Commitment following sentencing, entered in such action on the 1st day of December, 2009.

THE APPELLANT FURTHER CERTIFIES:

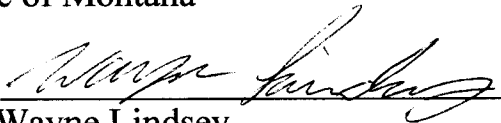
1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7.
2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."

NOTICE OF APPEAL

3. That the notice required by Mont. R. App. P. 27 will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature if applicable to this appeal.
4. No transcripts have been ordered.

Respectfully submitted this 10th day of December, 2009.

Wayne Lindsey
Inmate, Department of Corrections
State of Montana

By: 
Wayne Lindsey

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing Notice of Appeal with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing Notice of Appeal upon the Clerk of the District Court, and the Assistant Deputy County Attorney for Ravalli County, William Fullbright.

Clerk of the District Court
Twenty First Judicial District
205 Bedford Street
Hamilton, Montana 59840

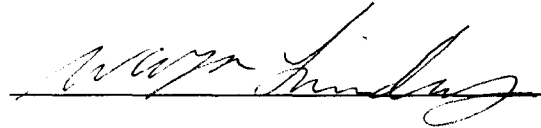
Ravalli County Attorney
C/o William Fullbright

NOTICE OF APPEAL

205 Bedford Street
Hamilton, Montana 59840

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
Helena, MT 59620-1401

DATED: December 10, 2009

A handwritten signature in cursive script, appearing to read "Wayne Lindsey", written over a horizontal line.

Wayne Lindsey, Pro Se
Appellant/Defendant

NOTICE OF APPEAL